

IN RE: PETITION FOR VARIANCE	* BEFORE THE
NE/S New Section Road, 1000' NE	
of the c/l of Seneca Road	* ZONING COMMISSIONER
(3946 New Section Road)	
15th Election District	* OF BALTIMORE COUNTY
5th Councilmanic District	
	* Case No. 96-24-A
Thomas F. Kreiner, Jr., et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as 3946 New Section Road, located in the vicinity of Seneca Road in Bowleys Quarters. The property is a water-front lot abutting Seneca Creek. The Petition was filed by the owners of the property, Thomas F. Kreiner, Jr., and his wife, Helena Kreiner. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (swimming pool) to be located in the front yard in lieu of the required rear yard. The subject property and relief sought are more particularly described on the site plan which was submitted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Thomas and Helena Kreiner, property owners. Appearing as a Protestant in the matter was Edna B. Callin, who resides two houses away from this property. Certain correspondence was also received from other residents in the surrounding community, all of whom are opposed to the relief requested.

Testimony and evidence offered revealed that the subject property consists of .36 acres, more or less, zoned R.C. 5 and is improved with a single family dwelling, detached garage, and the swimming pool which is the subject of this request. Mr. Kreiner testified that this property has been in his family since 1949, and that he and his wife moved into the

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ORDER RECEIVED FOR FILING
Date 11/23/95
By [Signature]

property in July 1993 to care for his elderly mother. Mr. Kreiner testified that the subject pool was professionally installed in May 1995 between the dwelling and the water in what has been held to be the front yard of waterfront property. The pool is 24 feet in diameter and 4 feet deep, and is located approximately 5 feet from the side property line adjoining the property at 3948 New Section Road. Mr. Kreiner testified that the location of the pool where situated is the only practical alternative. He testified that the pool could not be located in the rear yard due to the existence of a large tree, the existing garage, and several overhead power lines. Mr. Kreiner also observed that other properties in this community have above-ground pools located between the house and the water.

Ms. Edna Callin, who resides two houses away from the subject site at 3950 New Section Road, testified that the subject pool does not block her view of the water, but is visible from her house. She objects to the pool in that same is inconsistent with the residential uses in the neighborhood.

Zoning variances are regulated by Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). That section provides that in order for variance relief to be granted, the Petitioner must demonstrate that a practical difficulty would be suffered if strict adherence to the regulations were required. Moreover, relief can be approved only if the request is within the spirit and intent of the regulations and will not detrimentally affect the surrounding locale.

A recent opinion issued by the Court of Appeals of Maryland entitled Cromwell v. Ward, 102 Md. App. 691 (1995), discussed in detail the variance process in Baltimore County. That opinion requires the Petitioner demonstrate that the property bears some unique characteristic which

ORDER RECEIVED FOR FILING

Date

By

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justifies the variance relief. The facts recited by the Petitioner, the existing trees and overhead wires, do not relate to the property per se, in that same do not result from the size of the lot or its configuration. The wires could be relocated and the tree removed. The Petitioners' compliance with Section 307.1 of the B.C.Z.R. is questionable, at best. Also applicable are the provisions of Section 307.2 of the B.C.Z.R. This Section regulates variances within the Chesapeake Bay Critical Areas and requires additional limitations and considerations be placed upon the grant of any variance relief. This site is within the Critical Areas, owing to its fronting Seneca Creek. Section 307.2.6 provides that the granting of the variance can only be approved if same is in harmony with the general spirit and intent of the Critical Areas regulations.

In this case, a Zoning Plans Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Resource Management (DEPRM). That agency recommends denial of the variance and states that the Chesapeake Bay Critical Areas regulations do not permit pools within 100 feet of the tidal water. As noted on the site plan, the pool is located less than half that distance away from the water's edge. Indeed, DEPRM would no doubt prefer the planting of a tree where the pool is located and the installation of the pool in the rear yard.

Based on the testimony and evidence offered, I am persuaded that the Petitioners have failed to meet their burden. Clearly, the requested relief is contradictory to the express purposes and intent of the Chesapeake Bay Critical Areas regulations. The Petitioners have failed to comply with Section 307.2 of the B.C.Z.R. and therefore, the relief requested must be denied.

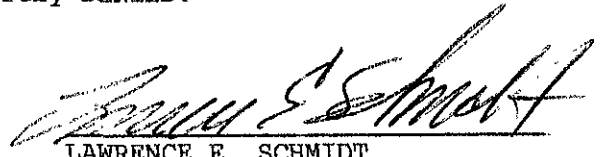
ORDER RECEIVED FOR FILING

Date

By

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth above, the variance requested shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of October, 1995 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (swimming pool) to be located in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 10/23/95

By [Signature]

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

October 23, 1995

(410) 887-4386

Mr. & Mrs. Thomas F. Kreiner, Jr.
3946 New Section Road
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
NE/S New Section Road, 1000' NE of the c/l of Seneca Road
(3946 New Section Road)
15th Election District - 5th Councilmanic District
Thomas F. Kreiner, Jr., et ux - Petitioners
Case No. 96-24-A

Dear Mr. & Mrs. Kreiner:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel

File

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3946 NEW SECTION RD 21220

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1 to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. PLACEMENT OF POOL ON ROADSIDE, NOT POSSIBLE BECAUSE OF OVERHEAD BG&E POWER LINES, WHICH FEED (3) HOUSE, BOX NOS. 3944, 3946 AND 3948 NEW SECTION ROAD.
2. ROADSIDE (EAST SIDE) HAS OVERHEAD POWER LINE, AND LARGE MAPLE TREE WITH SURFACE ROOTS. LAWN COULD NOT BE LEVELED FOR POOL INSTALLATION.
3. INSTALLED IN ACCORDANCE WITH OTHER NEIGHBORHOOD POOLS WHICH ARE LOCATED ON WATERFRONT SIDE. FOR SAFETY & PRIVACY REASONS, INSTALLED ON WATERFRONT SIDE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No

State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

THOMAS F. KREINER JR
(Type or Print Name)

Thomas F. Kreiner
Signature

HELENA KREINER
(Type or Print Name)

Helena Kreiner
Signature

3946 NEW SECTION RD 335-4639
Address Phone No

BALTO. MD. 21220
City State Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: mmc DATE 7/19/88

ORDER RECEIVED FOR FILING

Date 7/19/88
By [Signature]

Printed with Soybean Ink
on Recycled Paper

MICROFILMED

22

ZONING DESCRIPTION FOR 3946 NEW SECTION ROAD

96-24-A

Beginning at a point on the northeast side of New Section Road which is 30 feet right of way width at a distance of seventy-five (75) feet beginning at the center of lot no. 321 in a south east direction. Being Lot nos. 321 and 322. As recorded in deed Liber 967 and folio 790 and include the measurements and directions (N42 degrees 08 minutes east 226.8 feet, N53 degrees 35 minutes W 25 feet, N30 degrees 59 mintes W 50 feet, S42 degrees 36 minutes W 195.7 feet, to the place of the beginning.) Also known as 3946 New Section Road and located in the 15th Election District and containing 0.36 acres.

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-24-A

District 15th

Date of Posting 8/7/95

Posted for: Veronica

Petitioner: Thomas & Helena Premier

Location of property: 3946 New Section Rd

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by M. H. H. H.

Signature

Date of return: 8/12/95

Number of Signs: 1



MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #95-24-A

(Item #2)

9948 New Section Road
NE/6 New Section Road,
1000 NE of c/l Seneca
Road

16th Election District

8th Councilmanic

Legal Owner(s):

Thomas F. Kreiner, Jr.
and Helena Kreiner

Hearing: Thursday,

August 24, 1995 at 10:00

a.m. in Rm. 106, County Office Building

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

LAWRENCE E. SCHMIDT

Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible for special ac-
commodations. Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.

8/068 Aug. 8.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug 4, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 3, 1995

THE JEFFERSONIAN,

A. Henrichs

LEGAL AD. - TOWSON

Publisher

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY

96-24-17

Towson, Maryland

District 15th Appeal _____
Posted for: Thomas & Helen Kreig
Petitioner: _____
Location of property: 3946 New Section Rd

Location of Signs: Facing road way on property being zoned

Remarks: _____
Posted by [Signature] _____ Date of return: 12/18/95
Signature
Number of Signs: 1

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 22

Petitioner: THOMAS & HELENA KREINER

Location: 3946 NEW SECTION RD. 21220

PLEASE FORWARD ADVERTISING BILL TO:

NAME: THOMAS KREINER

ADDRESS: 3946 NEW SECTION RD.
BALTO. MD. 21220

PHONE NUMBER: 410-335-4639

AJ:ggg

MICROFILMED

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY
August 3, 1995 Issue - Jeffersonian

Please forward billing to:

Thomas Kreiner
3946 New Section Road
Baltimore, MD 21220
335-4639

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-24-A (Item 22)
3946 New Section Road
NE/S New Section Road, 1000' NE of c/l Seneca Road
15th Election District - 5th Councilmanic
Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner
HEARING: THURSDAY, AUGUST 24, 1995 at 10:00 a.m. in Room 106, County Office Building.

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 31, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-24-A (Item 22)

3946 New Section Road

NE/S New Section Road, 1000' NE of c/l Seneca Road

15th Election District - 5th Councilmanic

Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner

HEARING: THURSDAY, AUGUST 24, 1995 at 10:00 a.m. in Room 106, County Office Building.

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, stylized "A" and "J".

Arnold Jablon

Director

Department of Permits and Development Management

cc: Thomas and Helena Kreiner

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Printed with Soybean Ink
on Recycled Paper

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 18, 1995

NOTICE OF POSTPONEMENT

CASE NUMBER: 96-24-A
PETITIONER(S): Thomas and Helena Kreiner
LOCATION: 3946 New Section Road

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO BE HEARD ON THURSDAY, AUGUST 24, 1995, HAS BEEN POSTPONED AT THE REQUEST OF EDNA B. CALLIN, PROTESTANT.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

cc: Thomas and Helena Kreiner
Edna B. Callin

AJ:ggs

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 21, 1995

NOTICE OF REASSIGNMENT

Rescheduled from 8/24/95
CASE NUMBER: 96-24-A (Item 22)
3946 New Section Road
NE/S New Section Road, 1000' NE of c/l Seneca Road
15th Election District - 5th Councilmanic
Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner

Variance to permit an accessory structure (pool) in the front yard
(water side) in lieu of the rear.

HEARING: MONDAY, SEPTEMBER 18, 1995 at 9:00 a.m. in Room 118, Old
Courthouse, 400 Washington Avenue, Towson, MD.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with the first name "Arnold" and last name "Jablon" clearly visible.

ARNOLD JABLON
DIRECTOR

cc: Thomas F. and Helena Kreiner
Edna B. Callin

MICROFILMED



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

003648

96-24-A

DATE 7-19-95

ACCOUNT 01-615

Taken By: 2421C

Item: 22

AMOUNT \$ 85.00

RECEIVED FROM: Kreiner, Thomas - 3946 New Section R.P.

010- Res Var. — \$ 50.00

050- 1 sign — \$ 35.00

FOR: \$ 85.00

MICROFILMED

02A028007261CHRI
001017AND7-19-95

\$85.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 11/22/95

ACCOUNT R001-7120

AMOUNT \$ 210.00

RECEIVED FROM: Thomas + Helen Kreiner

FOR: Petition for Variance 3946 New Section

Road for Home 50' at front of property

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

Baltimore County Government
Department of Permits and Licenses



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

August 9, 1995

Mr. and Mrs. Thomas Kreiner
3946 New Section Road
Baltimore, Maryland 21220

RE: Item No.: 22
Case No.: 96-24-A
Petitioner: T. Kreiner, et ux

Dear Mr. and Mrs. Kreiner:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 19, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

16-24 A

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director August 7, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #22 - Kreiner Property
3946 New Section Road
Zoning Advisory Committee Meeting of July 31, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Pools and other accessory structures are not permitted within 100 feet of tidal water per Chesapeake Bay Critical Area regulations. Denial of this zoning variance is recommended.

JLP:PF:sp

KREINER/DEPRM/TXTSBP

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: August 3, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 3946 New Section Rd.

INFORMATION:

Item Number: 22

Petitioner: Kreiner Property

Property Size: _____

Zoning: RC-5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit an accessory structure in the front yard in lieu of the rear yard.

Based upon the information provided, staff finds it refreshing to review a residential variance request in which a legitimate practical difficulty/hardship is actually indicated.

Prepared by: Jeffrey W. Long

Division Chief: Carol Kerns

PK/JL

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 7, 1995
Zoning Administration and Development Management

FROM: *DWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for August 7, 1995
Items 020, 021, 022, 024, 025, 026 and 027 *(4)*

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

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Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22, 23, 24, 25 AND 27.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED

AUG 1 1995

MICROFILMED

ZADM





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-28-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 022 (MJK)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

MICROFILMED

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
3946 New Section Road, NE/S New Section
Road, 1000' NE of c/l Seneca Road
15th Election District - 5th Councilmanic

Thomas F. and Helena Kreiner, Jr.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-24-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Thomas F. and Helena Kreiner, Jr., 3946 New Section Road, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

RECEIVED

AUG 14 1995

DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

November 22, 1995

Ms. Edna B. Collin
3950 New Section Road
Baltimore, MD 21220

Mr. and Mrs. William D. Wagner
3942 New Section Road
Baltimore, MD 21220

Re: Petition for Variance
NE/S New Section Road
1000' NE of the c/l
of Seneca Road
3946 New Section Road
15th Election District
5th Councilmanic District
Thomas F. Kreiner, Jr. -
Petitioners
Case No. 96-24-A

Dear Ms. Collin and Mr. and Mrs. Wagner:

Please be advised that an appeal of the above-referenced case was filed in this office on November 21, 1995 by Mr. Thomas F. Kreiner, Jr. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals, "Board".

If you have any questions concerning this matter, please do not hesitate to contact the Board at 887-3180.

Sincerely,

(Copy)

ARNOLD JABLON
Director
Department of Permits and
Development Management

AJ:nmn

cc: People's Counsel

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

November 22, 1995

Ms. Edna B. Collin
3950 New Section Road
Baltimore, MD 21220

Mr. and Mrs. William D. Wagner
3942 New Section Road
Baltimore, MD 21220

Re: Petition for Variance
NE/S New Section Road
1000' NE of the c/l
of Seneca Road
3946 New Section Road
15th Election District
5th Councilmanic District
Thomas F. Kreiner, Jr. -
Petitioners
Case No. 96-24-A

Dear Ms. Collin and Mr. and Mrs. Wagner:

Please be advised that an appeal of the above-referenced case was filed in this office on November 21, 1995 by Mr. Thomas F. Kreiner, Jr. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals, "Board".

If you have any questions concerning this matter, please do not hesitate to contact the Board at 887-3180.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
Director
Department of Permits and
Development Management

AJ:nmn

cc: People's Counsel

APPEAL

Petition for Variance
NE/S New Section Road
1000' NE of the c/l of Seneca Road
3946 New Section Road
15th Election District - 5th Councilmanic District
Thomas F. Kreiner, Jr. et ux - Petitioners
Case No. 96-24-A

Petition for Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Plat to Accompany Petition for Zoning Variance (Not Marked as Exhibit)

Zoning Map to Accompany Petition for Zoning Variance (Not Marked as Exhibit)

13 Photographs to Accompany Petition for Zoning Variance (Not Marked as Exhibits)

Letter to File from Edna B. Collin received August 22, 1995

Letter to File from William and Maxine Wagner received August 23, 1995

Anonymous Letter to Lawrence Schmidt, Zoning Commissioner dated
September 19, 1995

Zoning Commissioner's Order dated October 23, 1995 (Denied)

Notice of Appeal received on November 21, 1995 from Thomas F. Kreiner, Jr.,
Petitioners

cc: Mr. Thomas F. Kreiner, Jr., 3946 New Section Road, Baltimore, MD, 21220
Ms. Edna B. Collin, 3950 New Section Road, Baltimore, MD 21220
Mr. and Mrs. William D. Wagner, 3942 New Section Road, Baltimore, MD 21220
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

MICROFILMED

2/09/96 -Notice of Assignment for hearing scheduled for Tuesday,
May 21, 1996 at 10:00 a.m. sent to following:

Mr. Thomas F. Kreiner, Jr.
Ms. Edna B. Callin
Mr. and Mrs. William D. Wagner
People's Counsel for Baltimore County
Pat Keller /Planning Director
Lawrence E. Schmidt
W. Carl Richards, Jr. /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

5/03/96 -Letter from Appellant /Petitioner - withdrawing appeal and
requesting cancellation of hearing scheduled for 5/21/96. Order of
Dismissal to be issued.

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 10, 1997
Permits & Development Management

FROM: Charlotte E. Radcliffe *CR*
County Board of Appeals

SUBJECT: Closed Files: Case Nos.
95-366-A /Carroll Coleman, et ux (12th; 7th)
96-24-A /Thomas Kreiner, Jr., et ux (15th; 5th)
96-31-SPH /Stephen Seymour (3rd; 2nd)
96-40-A /Joseph C. Nowakowski (15th; 7th)
96-63-A /Joseph E. Neet, et ux (13th; 1st)
96-118-SPHXA /Rocky Gorge at Grey Rock, L.P. and
Rocky Gorge Communities, Inc., G.P. (3rd; 2nd)
96-120-SPHA /Richmond American Homes and
Ruby Holzapfel, et al (2nd; 2nd)
CBA-95-178 /Steinberg Property (DRC #07315M)
CBA-96-113 /Samuel Owings House (Permit #B240689)

Dismissed

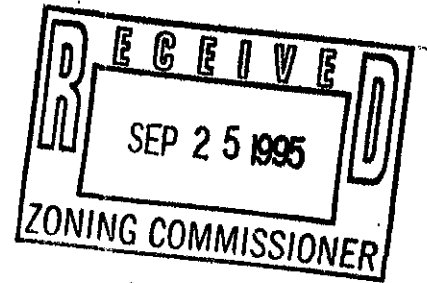
As no further appeals have been taken regarding the subject cases, we are hereby closing the files and returning same to you herewith.

Attachments (Case File Nos. 95-366-A; 96-24-A; 96-31-SPH; 96-40-A;
96-63-A; 96-118-SPHXA; 96-120-SPHA; CBA-95-178; CBA-96-113)

MICROFILMED

September 19, 1995

Mr. Lawrence E. Schmidts
112 Court House
400 Washington Ave.
Towson, Md. 21204



Ref. 9624A
Mr. Thomas Kreiner

8/24 hsz

Dear Mr. Schmidts,

First, I am a concerned neighbor that doesn't want to see the neighborhood change. Since the Kreiner's have moved in summer of 1993, there has been numerous problems. He has made many complaints on the long-time residents, which none of them were valid. This is why many of us want to be anonymous at this time.

Second, he was raised at that property since 1949 and since his mother illness of summer 1993 he has occupied the property. Since he helped her maintain the property, he was well aware that the waterfront was the front of the property. It is a well know fact of waterfront property owners.

A neighbor three doors down the road had applied to zoning to put a pool on waterfront side of his property. The motion was denied causing the property owner to put the pool beside his house.

Concerning the pool, Mr. Kreiner was a previous Baltimore County resident before moving to Bowleys Quarters. At that property he had an above ground pool. So he should be very familiar with the procedures in having a pool installed. The pool at Bowleys Quarters could very easily be put in the back of the yard. The powerlines would not be over the pool and the roots from the tree would not be a problem, if so, cut the tree down.

The neighbors were not aware of the postponement date since another sign was not posted.

Mr. Kreiner needs to be aware of the responsibilities of being a property owner and also be aware of the concerns of the neighbors. The property owners there value the water and what it represents.

A CONCERNED PORPERTY OWNER

MICROFILMED

Thomas F. Kreiner Jr.
3946 New Section Road
Baltimore, Md. 21220
410-335-4639

Baltimore County Dept. of Permits and Development Management
111 W. Cheasapeake Avenue
Towson, Md. 21204

RE: Petition for Variance
Case no. 96-24-A
NE/S New Section Road, 1000' NE of the c/l of Seneca Road
(3946 New Section Road)
15th Election District - 5th Councilmanic District
Request for Appeal

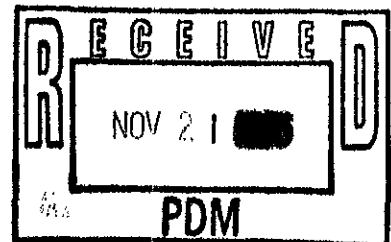
November 22, 1995

attn: Mr. Arnold Jablon,

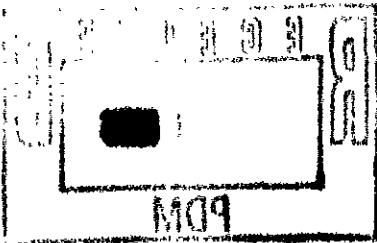
Please file a this letter as a request for case no. 96-24A to be heard and reviewed by the County Court of Appeals.

Respectfully


Thomas F. Kreiner Jr.



MICROFILMED



Thomas F. Kreiner Jr.
3946 New Section Road
Baltimore , MD. 21220
(410) 335-4639

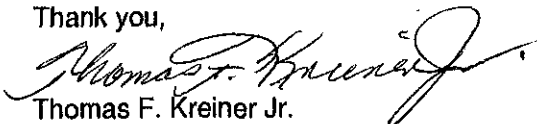
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

May 1, 1996

attn: Kathleen C. Bianco

Please ~~cancel~~ Appeals case set for May 21, 1996 at 10:00 am for case no. 96-24-A.

Thank you,


Thomas F. Kreiner Jr.

96-24-A
MAY 1 1996
CLERK OF COURT

MICROFILMED

8-14-9.

3900-95
GS

H. Ed Jablon
Director of Permits +
Development Management
Case #96-24-A

Dear Sir,

I am asking for a postponement of
Case #96-24-A, August 24, 1995 10:00AM

I will be out of town that week
due to vacation plans made several
months ago that can't be changed.
It is very important to all waterfront
owners that this variance not
be allowed and I want to be there
to fight it. Your help with my
request will greatly appreciated
by all concerned.

Thank You
Edna B. Callin

RECEIVED
AUG 17 1995

ZADM

Edna B. CALLIN
3950 New Section Rd
Baltimore Md. 21230

MICROFILMED

Answer
for file

8/23/95

AJ.
3988-95

ASE #96-24-A

Zoning Commissioner Towson, Md.

Place - Room 106, County Office Build

Time+Date - Thurs. August 24, 1995 at 10:00 AM

VARIANCE

To Permit an accessory structure (pool)
in the front yard (waterside) in lieu of the Rear
Call 887.3391 To confirm hearing

Clarification - Pool is above ground, at
least 54 inches with a need, for full
potential of a deck. Back yard is
compatible for this type of construction.
Question?

What is your view on the VARIANCE.

I request that the variance be denied.
Applicant has plenty of space in back yard
for pool plus deck of any size. The pool blocks
my view and also is unattractive. If
we allow this, what next? A pool house.

RECEIVED

AUG 22 1995

ZADM

Edna B. Callin

3950 New Section Rd

Baltimore Md. 21220

MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Edna B. CALLIN

3950 New Section Rd. BtHo PA 21220

Case No. 96-24-A

NE/s New Section Road, 1000' NE of the c/l of
Seneca Road (3946 New Section Road)

15th Election District

Appealed: 11/21/98

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

THOMAS & HELENA KREINER

3946 NEW SECTION RD



MICROFILMED

#22

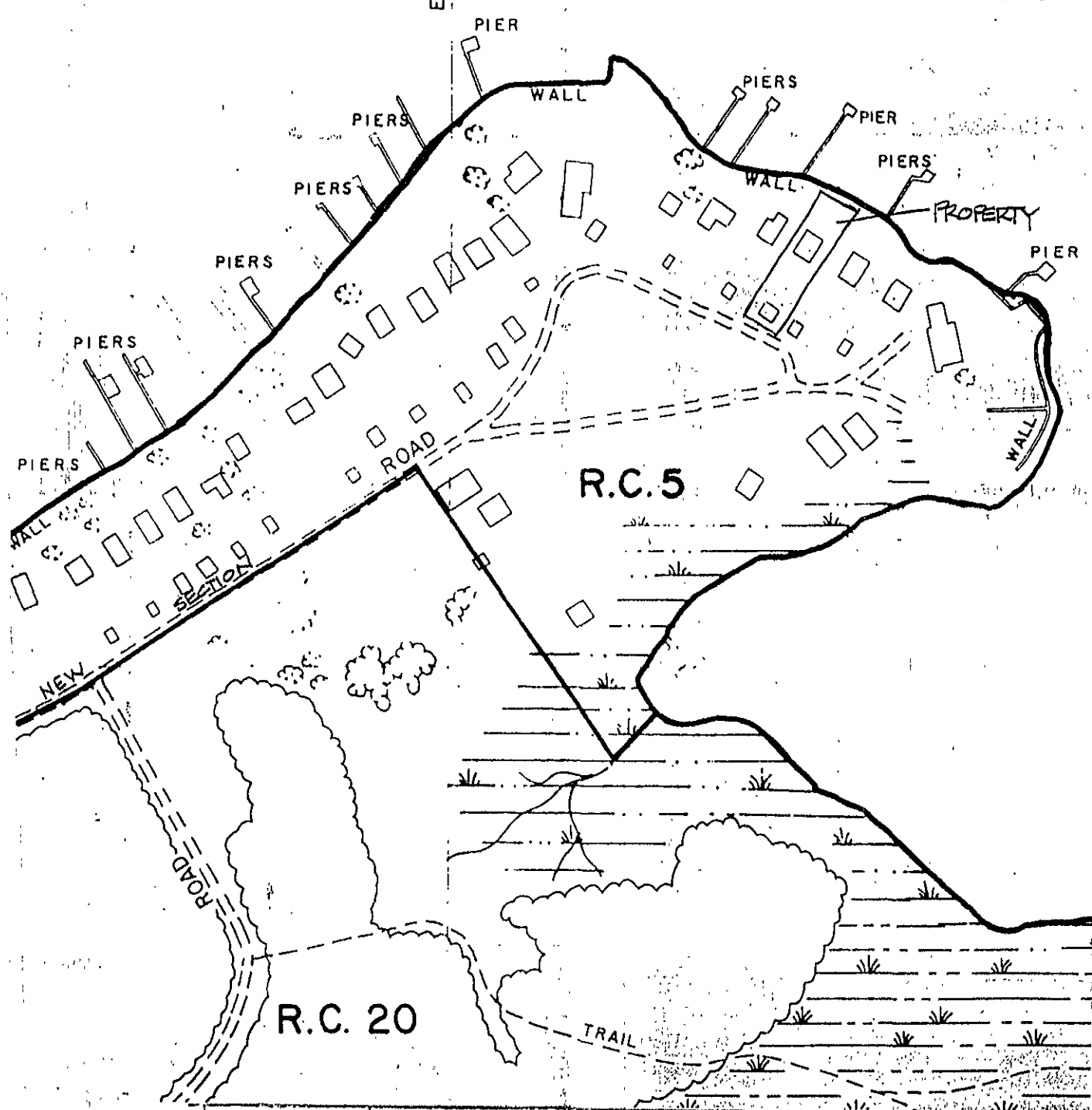
Zoning Map

96-24-A

(SHEET NE. 3-L)

E69,000

SENECA CREEK



SCALE	LOCATION	SHEET
1" = 200' ±	3946 NEW SECTION RD.	N.E. 3-L

MICROFILMED

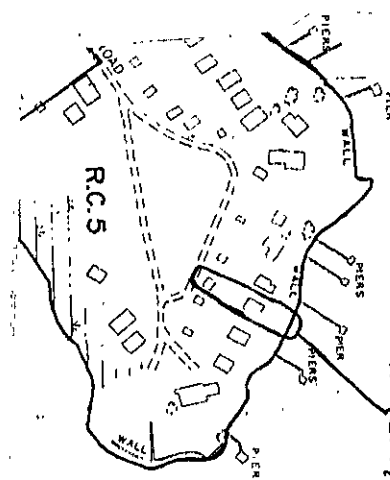
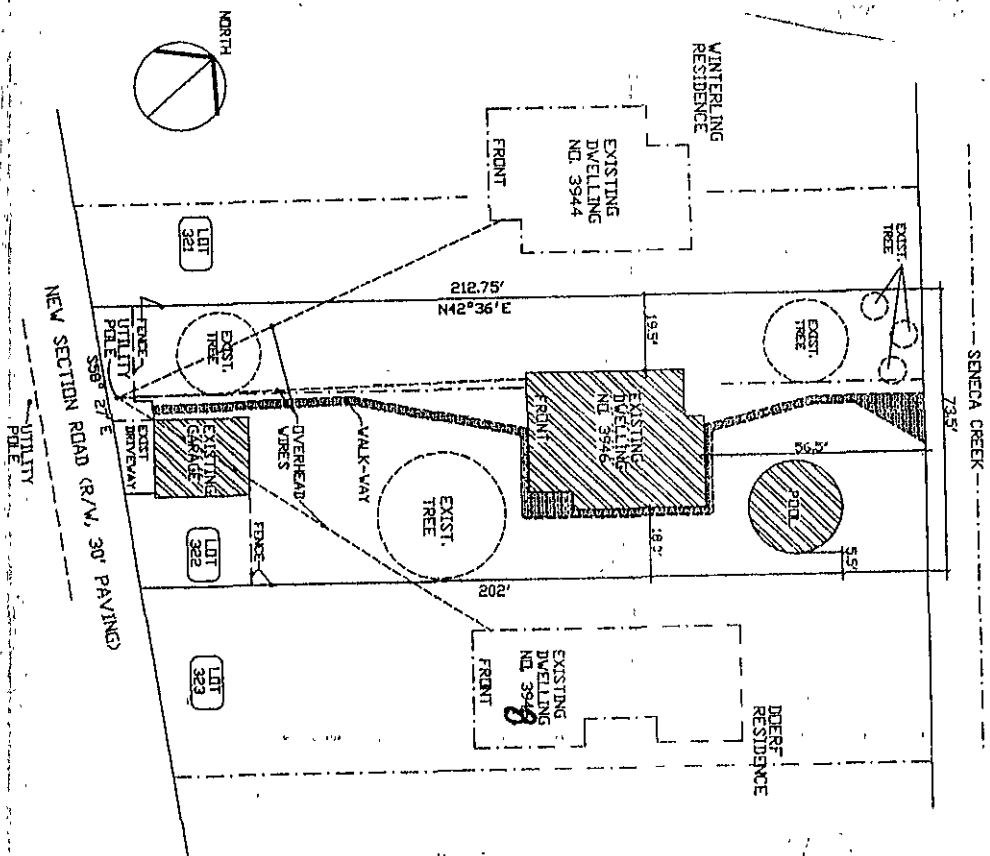
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 3446 NEW SECTION RD. 21220 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: BOULEY'S QUARTERS plat book # 10, folio # 64, lot # 322, section #

OWNER: THOMAS & HELENA KREINER

96-24-A



Vicinity Map

LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#:

Zoning: 36 15834.328

Lot size: 36 15834.328 acreage square feet

- SEWER: ☐ public ☒ private
- WATER: ☒ YES ☐ NO

Chesapeake Bay Critical Area: ☒ YES ☐ NO

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: MMK ITEM # 22 CASE #

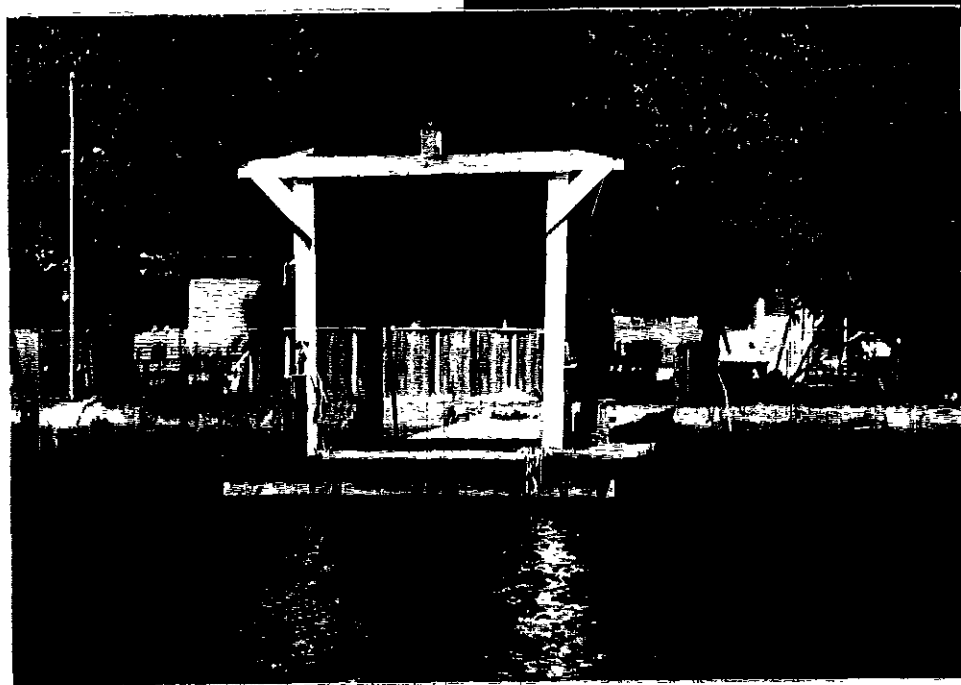
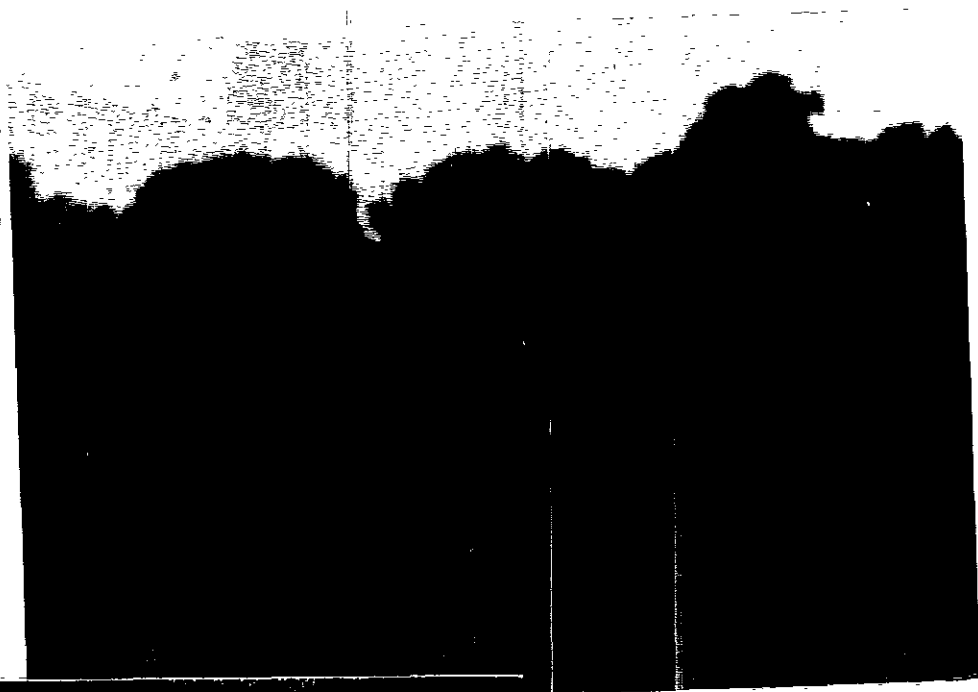
North
date: 2/11/95
prepared by: T. KREINER
Scale of Drawing: 1" = 50'

photographs

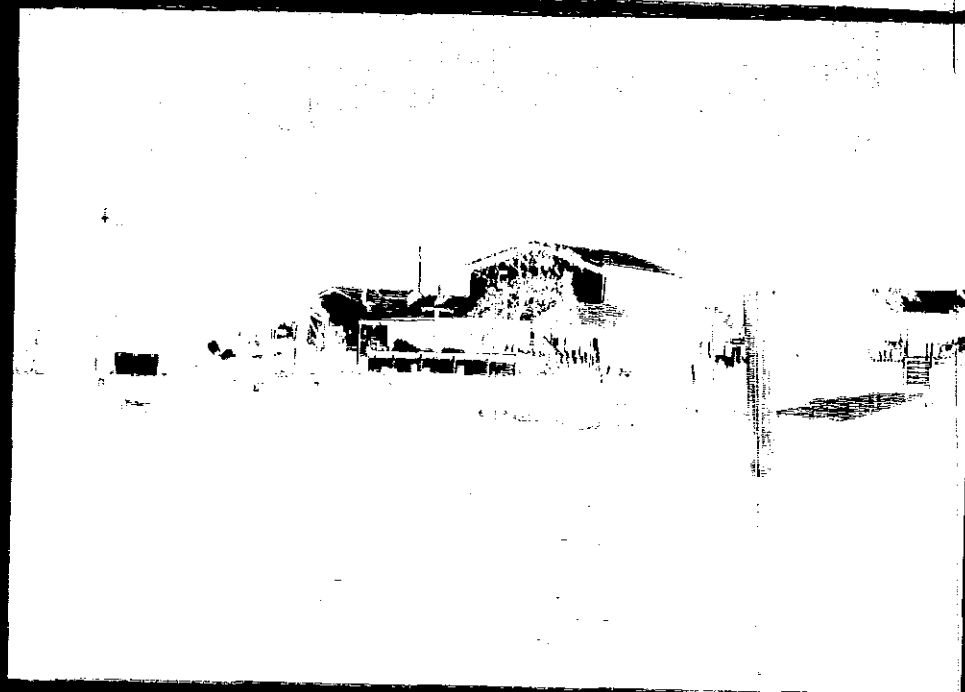
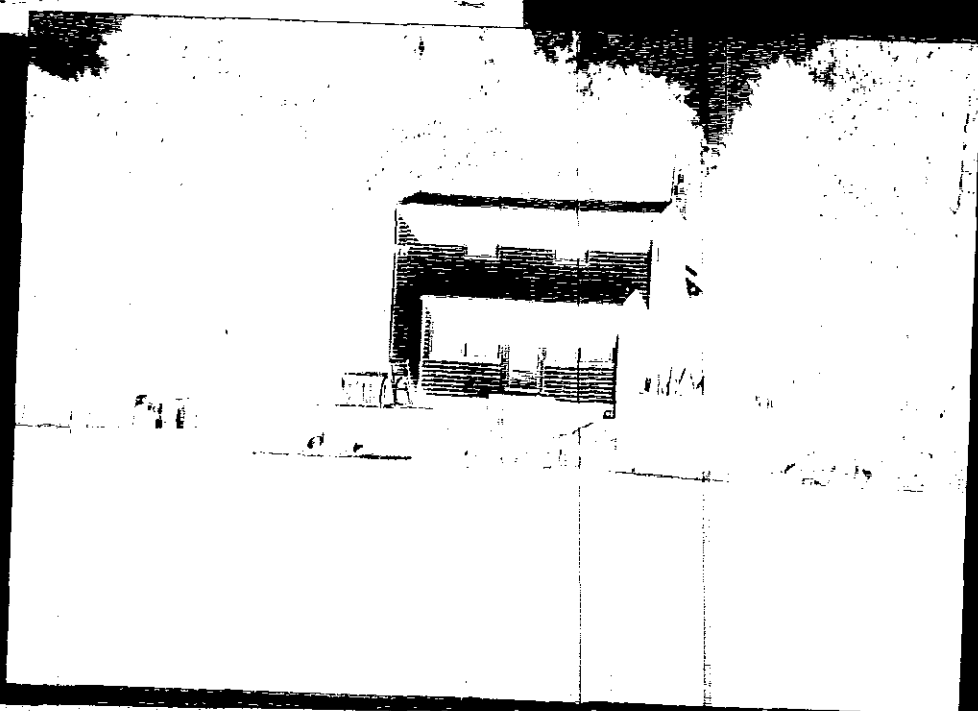
Case 96-24-A

(13)

MICROFILMED











IN RE: PETITION FOR VARIANCE	* BEFORE THE
NE/S New Section Road, 1000' NE	
of the c/l of Seneca Road	* ZONING COMMISSIONER
(3946 New Section Road)	
15th Election District	* OF BALTIMORE COUNTY
5th Councilmanic District	
	* Case No. 96-24-A
Thomas F. Kreiner, Jr., et ux	
Petitioners	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property known as 3946 New Section Road, located in the vicinity of Seneca Road in Bowleys Quarters. The property is a water-front lot abutting Seneca Creek. The Petition was filed by the owners of the property, Thomas F. Kreiner, Jr., and his wife, Helena Kreiner. The Petitioners seek relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (swimming pool) to be located in the front yard in lieu of the required rear yard. The subject property and relief sought are more particularly described on the site plan which was submitted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Thomas and Helena Kreiner, property owners. Appearing as a Protestant in the matter was Edna B. Callin, who resides two houses away from this property. Certain correspondence was also received from other residents in the surrounding community, all of whom are opposed to the relief requested.

Testimony and evidence offered revealed that the subject property consists of .36 acres, more or less, zoned R.C. 5 and is improved with a single family dwelling, detached garage, and the swimming pool which is the subject of this request. Mr. Kreiner testified that this property has been in his family since 1949, and that he and his wife moved into the

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ORDER RECEIVED FOR FILING
 Date 11/23/95
 By [Signature]

property in July 1993 to care for his elderly mother. Mr. Kreiner testified that the subject pool was professionally installed in May 1995 between the dwelling and the water in what has been held to be the front yard of waterfront property. The pool is 24 feet in diameter and 4 feet deep, and is located approximately 5 feet from the side property line adjoining the property at 3948 New Section Road. Mr. Kreiner testified that the location of the pool where situated is the only practical alternative. He testified that the pool could not be located in the rear yard due to the existence of a large tree, the existing garage, and several overhead power lines. Mr. Kreiner also observed that other properties in this community have above-ground pools located between the house and the water.

Ms. Edna Callin, who resides two houses away from the subject site at 3950 New Section Road, testified that the subject pool does not block her view of the water, but is visible from her house. She objects to the pool in that same is inconsistent with the residential uses in the neighborhood.

Zoning variances are regulated by Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). That section provides that in order for variance relief to be granted, the Petitioner must demonstrate that a practical difficulty would be suffered if strict adherence to the regulations were required. Moreover, relief can be approved only if the request is within the spirit and intent of the regulations and will not detrimentally affect the surrounding locale.

A recent opinion issued by the Court of Appeals of Maryland entitled Cromwell v. Ward, 102 Md. App. 691 (1995), discussed in detail the variance process in Baltimore County. That opinion requires the Petitioner demonstrate that the property bears some unique characteristic which

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

justifies the variance relief. The facts recited by the Petitioner, the existing trees and overhead wires, do not relate to the property per se, in that same do not result from the size of the lot or its configuration. The wires could be relocated and the tree removed. The Petitioners' compliance with Section 307.1 of the B.C.Z.R. is questionable, at best. Also applicable are the provisions of Section 307.2 of the B.C.Z.R. This Section regulates variances within the Chesapeake Bay Critical Areas and requires additional limitations and considerations be placed upon the grant of any variance relief. This site is within the Critical Areas, owing to its fronting Seneca Creek. Section 307.2.6 provides that the granting of the variance can only be approved if same is in harmony with the general spirit and intent of the Critical Areas regulations.

In this case, a Zoning Plans Advisory Committee (ZAC) comment was received from the Department of Environmental Protection and Resource Management (DEPRM). That agency recommends denial of the variance and states that the Chesapeake Bay Critical Areas regulations do not permit pools within 100 feet of the tidal water. As noted on the site plan, the pool is located less than half that distance away from the water's edge. Indeed, DEPRM would no doubt prefer the planting of a tree where the pool is located and the installation of the pool in the rear yard.

Based on the testimony and evidence offered, I am persuaded that the Petitioners have failed to meet their burden. Clearly, the requested relief is contradictory to the express purposes and intent of the Chesapeake Bay Critical Areas regulations. The Petitioners have failed to comply with Section 307.2 of the B.C.Z.R. and therefore, the relief requested must be denied.

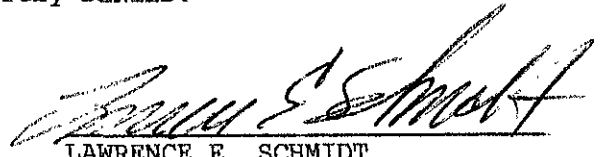
ORDER RECEIVED FOR FILING

Date

By

Pursuant to the advertisement, posting of the property and public hearing on this Petition held and for the reasons set forth above, the variance requested shall be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of October, 1995 that the Petition for Variance seeking relief from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (swimming pool) to be located in the front yard in lieu of the required rear yard, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date 10/23/95

By [Signature]

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

October 23, 1995

(410) 887-4386

Mr. & Mrs. Thomas F. Kreiner, Jr.
3946 New Section Road
Baltimore, Maryland 21220

RE: PETITION FOR VARIANCE
NE/S New Section Road, 1000' NE of the c/l of Seneca Road
(3946 New Section Road)
15th Election District - 5th Councilmanic District
Thomas F. Kreiner, Jr., et ux - Petitioners
Case No. 96-24-A

Dear Mr. & Mrs. Kreiner:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel

File

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3946 NEW SECTION RD 21220

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1 to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. PLACEMENT OF POOL ON ROADSIDE, NOT POSSIBLE BECAUSE OF OVERHEAD BG&E POWER LINES, WHICH FEED (3) HOUSE, BOX NOS. 3944, 3946 AND 3948 NEW SECTION ROAD.
2. ROADSIDE (EAST SIDE) HAS OVERHEAD POWER LINE, AND LARGE MAPLE TREE WITH SURFACE ROOTS. LAWN COULD NOT BE LEVELED FOR POOL INSTALLATION.
3. INSTALLED IN ACCORDANCE WITH OTHER NEIGHBORHOOD POOLS WHICH ARE LOCATED ON WATERFRONT SIDE. FOR SAFETY & PRIVACY REASONS, INSTALLED ON WATERFRONT SIDE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No

State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

THOMAS F. KREINER JR
(Type or Print Name)

Thomas F. Kreiner
Signature

HELENA KREINER
(Type or Print Name)

Helena Kreiner
Signature

3946 NEW SECTION RD 335-4639
Address Phone No

BALTO. MD. 21220
City State Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 hr
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: mmc DATE 7/19/88

ORDER RECEIVED FOR FILING

Date 7/19/88
By [Signature]

Printed with Soybean Ink
on Recycled Paper

MICROFILMED

22

ZONING DESCRIPTION FOR 3946 NEW SECTION ROAD

96-24-A

Beginning at a point on the northeast side of New Section Road which is 30 feet right of way width at a distance of seventy-five (75) feet beginning at the center of lot no. 321 in a south east direction. Being Lot nos. 321 and 322. As recorded in deed Liber 967 and folio 790 and include the measurements and directions (N42 degrees 08 minutes east 226.8 feet, N53 degrees 35 minutes W 25 feet, N30 degrees 59 mintes W 50 feet, S42 degrees 36 minutes W 195.7 feet, to the place of the beginning.) Also known as 3946 New Section Road and located in the 15th Election District and containing 0.36 acres.

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-24-A

District 15th

Date of Posting 8/7/95

Posted for: Veronica

Petitioner: Thomas & Helena Premier

Location of property: 3946 New Section Rd

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by M. H. H. H.

Signature

Date of return: 8/12/95

Number of Signs: 1



MICROFILMED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #95-24-A

(Item #)

9948 New Section Road
NE/6 New Section Road,
1000 NE of c/l Seneca
Road

16th Election District

8th Councilmanic

Legal Owner(s):

Thomas F. Kreiner, Jr.
and Helena Kreiner

Hearing: Thursday,

August 24, 1995 at 10:00

a.m. in Rm. 106, County Office Building

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

LAWRENCE E. SCHMIDT

Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-capped Accessible for special accommodations. Please Call 887-3353.

(2) For information concerning the file and/or hearing, please call 887-3391.

8/068 Aug. 8.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug 4, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug. 3, 1995

THE JEFFERSONIAN,

A. Henrichs

LEGAL AD. - TOWSON

Publisher

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

96-24-17

District 15th Appeal Date of Posting 12/18/95

Posted for: Thomas & Helen Kreig

Petitioner: _____

Location of property: 3946 New Section Rd

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by [Signature] Date of return: 12/18/95

Signature

Number of Signs: 1

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 22

Petitioner: THOMAS & HELENA KREINER

Location: 3946 NEW SECTION RD. 21220

PLEASE FORWARD ADVERTISING BILL TO:

NAME: THOMAS KREINER

ADDRESS: 3946 NEW SECTION RD.
BALTO. MD. 21220

PHONE NUMBER: 410-335-4639

AJ:ggg

MICROFILMED

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY
August 3, 1995 Issue - Jeffersonian

Please forward billing to:

Thomas Kreiner
3946 New Section Road
Baltimore, MD 21220
335-4639

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-24-A (Item 22)

3946 New Section Road

NE/S New Section Road, 1000' NE of c/l Seneca Road

15th Election District - 5th Councilmanic

Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner

HEARING: THURSDAY, AUGUST 24, 1995 at 10:00 a.m. in Room 106, County Office Building.

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 31, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-24-A (Item 22)

3946 New Section Road

NE/S New Section Road, 1000' NE of c/l Seneca Road

15th Election District - 5th Councilmanic

Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner

HEARING: THURSDAY, AUGUST 24, 1995 at 10:00 a.m. in Room 106, County Office Building.

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon

Director

Department of Permits and Development Management

cc: Thomas and Helena Kreiner

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Printed with Soybean Ink
on Recycled Paper

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 18, 1995

NOTICE OF POSTPONEMENT

CASE NUMBER: 96-24-A
PETITIONER(S): Thomas and Helena Kreiner
LOCATION: 3946 New Section Road

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO BE HEARD ON THURSDAY, AUGUST 24, 1995, HAS BEEN POSTPONED AT THE REQUEST OF EDNA B. CALLIN, PROTESTANT.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

cc: Thomas and Helena Kreiner
Edna B. Callin

AJ:ggs

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 21, 1995

NOTICE OF REASSIGNMENT

Rescheduled from 8/24/95
CASE NUMBER: 96-24-A (Item 22)
3946 New Section Road
NE/S New Section Road, 1000' NE of c/l Seneca Road
15th Election District - 5th Councilmanic
Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner

Variance to permit an accessory structure (pool) in the front yard
(water side) in lieu of the rear.

HEARING: MONDAY, SEPTEMBER 18, 1995 at 9:00 a.m. in Room 118, Old
Courthouse, 400 Washington Avenue, Towson, MD.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with the first name "Arnold" and last name "Jablon" clearly distinguishable.

ARNOLD JABLON
DIRECTOR

cc: Thomas F. and Helena Kreiner
Edna B. Callin

MICROFILMED



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

003648

96-24-A

DATE 7-19-95

ACCOUNT 01-615

Taken By: 2421C

Item: 22

AMOUNT \$ 85.00

RECEIVED FROM: Kreiner, Thomas - 3946 New Section R.P.

010- Res Var. — \$ 50.00

050- 1 sign — \$ 35.00

FOR: \$ 85.00

MICROFILMED

02A028007261CHRI
001017AND7-19-95

\$85.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

003648

DATE 11/22/95

ACCOUNT R001-7120

AMOUNT \$ 210.00

RECEIVED FROM: Thomas + Helen Kreiner

FOR: Petition for Variance 3946 New Section

Road for Home, 3946 New Section

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

MICROFILMED

Baltimore County Government
Department of Permits and Licenses



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

August 9, 1995

Mr. and Mrs. Thomas Kreiner
3946 New Section Road
Baltimore, Maryland 21220

RE: Item No.: 22
Case No.: 96-24-A
Petitioner: T. Kreiner, et ux

Dear Mr. and Mrs. Kreiner:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 19, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

16-24 A

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director August 7, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #22 - Kreiner Property
3946 New Section Road
Zoning Advisory Committee Meeting of July 31, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Pools and other accessory structures are not permitted within 100 feet of tidal water per Chesapeake Bay Critical Area regulations. Denial of this zoning variance is recommended.

JLP:PF:sp

KREINER/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: August 3, 1995

FROM: Pat Keller, Director, OPZ 

SUBJECT: 3946 New Section Rd.

INFORMATION:

Item Number: 22

Petitioner: Kreiner Property

Property Size: _____

Zoning: RC-5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit an accessory structure in the front yard in lieu of the rear yard.

Based upon the information provided, staff finds it refreshing to review a residential variance request in which a legitimate practical difficulty/hardship is actually indicated.

Prepared by: Jeffrey W. Long

Division Chief: Carol Kerns

PK/JL

MICROFILMED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 7, 1995
Zoning Administration and Development Management

FROM: *DWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for August 7, 1995
Items 020, 021, 022, 024, 025, 026 and 027 *(4)*

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22, 23, 24, 25 AND 27.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED

AUG 1 1995

MICROFILMED

ZADM





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

7-28-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 022 (MJK)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

MICROFILMED

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
3946 New Section Road, NE/S New Section
Road, 1000' NE of c/l Seneca Road
15th Election District - 5th Councilmanic

Thomas F. and Helena Kreiner, Jr.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-24-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Thomas F. and Helena Kreiner, Jr., 3946 New Section Road, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

RECEIVED

AUG 14 1995

DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

November 22, 1995

Ms. Edna B. Collin
3950 New Section Road
Baltimore, MD 21220

Mr. and Mrs. William D. Wagner
3942 New Section Road
Baltimore, MD 21220

Re: Petition for Variance
NE/S New Section Road
1000' NE of the c/l
of Seneca Road
3946 New Section Road
15th Election District
5th Councilmanic District
Thomas F. Kreiner, Jr. -
Petitioners
Case No. 96-24-A

Dear Ms. Collin and Mr. and Mrs. Wagner:

Please be advised that an appeal of the above-referenced case was filed in this office on November 21, 1995 by Mr. Thomas F. Kreiner, Jr. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals, "Board".

If you have any questions concerning this matter, please do not hesitate to contact the Board at 887-3180.

Sincerely,

(Copy)

ARNOLD JABLON
Director
Department of Permits and
Development Management

AJ:nmn

cc: People's Counsel

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

November 22, 1995

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3950 New Section Road
Baltimore, MD 21220

Mr. and Mrs. William D. Wagner
3942 New Section Road
Baltimore, MD 21220

Re: Petition for Variance
NE/S New Section Road
1000' NE of the c/l
of Seneca Road
3946 New Section Road
15th Election District
5th Councilmanic District
Thomas F. Kreiner, Jr. -
Petitioners
Case No. 96-24-A

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If you have any questions concerning this matter, please do not hesitate to contact the Board at 887-3180.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
Director
Department of Permits and
Development Management

AJ:nmn

cc: People's Counsel

APPEAL

Petition for Variance
NE/S New Section Road
1000' NE of the c/l of Seneca Road
3946 New Section Road
15th Election District - 5th Councilmanic District
Thomas F. Kreiner, Jr. et ux - Petitioners
Case No. 96-24-A

Petition for Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Plat to Accompany Petition for Zoning Variance (Not Marked as Exhibit)

Zoning Map to Accompany Petition for Zoning Variance (Not Marked as Exhibit)

13 Photographs to Accompany Petition for Zoning Variance (Not Marked as Exhibits)

Letter to File from Edna B. Collin received August 22, 1995

Letter to File from William and Maxine Wagner received August 23, 1995

Anonymous Letter to Lawrence Schmidt, Zoning Commissioner dated
September 19, 1995

Zoning Commissioner's Order dated October 23, 1995 (Denied)

Notice of Appeal received on November 21, 1995 from Thomas F. Kreiner, Jr.,
Petitioners

cc: Mr. Thomas F. Kreiner, Jr., 3946 New Section Road, Baltimore, MD, 21220
Ms. Edna B. Collin, 3950 New Section Road, Baltimore, MD 21220
Mr. and Mrs. William D. Wagner, 3942 New Section Road, Baltimore, MD 21220
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

MICROFILMED

2/09/96 -Notice of Assignment for hearing scheduled for Tuesday,
May 21, 1996 at 10:00 a.m. sent to following:

Mr. Thomas F. Kreiner, Jr.
Ms. Edna B. Callin
Mr. and Mrs. William D. Wagner
People's Counsel for Baltimore County
Pat Keller /Planning Director
Lawrence E. Schmidt
W. Carl Richards, Jr. /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

5/03/96 -Letter from Appellant /Petitioner - withdrawing appeal and
requesting cancellation of hearing scheduled for 5/21/96. Order of
Dismissal to be issued.

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 10, 1997
Permits & Development Management

FROM: Charlotte E. Radcliffe *WR*
County Board of Appeals

SUBJECT: Closed Files: Case Nos.
95-366-A /Carroll Coleman, et ux (12th; 7th)
96-24-A /Thomas Kreiner, Jr., et ux (15th; 5th)
96-31-SPH /Stephen Seymour (3rd; 2nd)
96-40-A /Joseph C. Nowakowski (15th; 17th)
96-63-A /Joseph E. Neet, et ux (13th; 1st)
96-118-SPHXA /Rocky Gorge at Grey Rock, L.P. and
Rocky Gorge Communities, Inc., G.P. (3rd; 2nd)
96-120-SPHA /Richmond American Homes and
Ruby Holzapfel, et al (2nd; 2nd)
CBA-95-178 /Steinberg Property (DRC #07315M)
CBA-96-113 /Samuel Owings House (Permit #B240689)

Dismissed

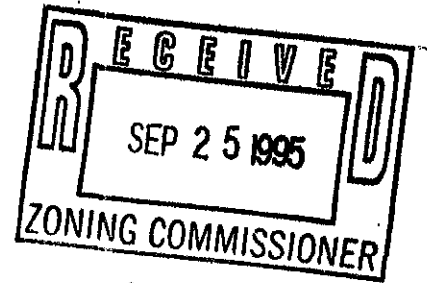
As no further appeals have been taken regarding the subject cases, we are hereby closing the files and returning same to you herewith.

Attachments (Case File Nos. 95-366-A; 96-24-A; 96-31-SPH; 96-40-A;
96-63-A; 96-118-SPHXA; 96-120-SPHA; CBA-95-178; CBA-96-113)

MICROFILMED

September 19, 1995

Mr. Lawrence E. Schmidts
112 Court House
400 Washington Ave.
Towson, Md. 21204



Ref. 9624A
Mr. Thomas Kreiner

8/24 hsz

Dear Mr. Schmidts,

First, I am a concerned neighbor that doesn't want to see the neighborhood change. Since the Kreiner's have moved in summer of 1993, there has been numerous problems. He has made many complaints on the long-time residents, which none of them were valid. This is why many of us want to be anonymous at this time.

Second, he was raised at that property since 1949 and since his mother illness of summer 1993 he has occupied the property. Since he helped her maintain the property, he was well aware that the waterfront was the front of the property. It is a well know fact of waterfront property owners.

A neighbor three doors down the road had applied to zoning to put a pool on waterfront side of his property. The motion was denied causing the property owner to put the pool beside his house.

Concerning the pool, Mr. Kreiner was a previous Baltimore County resident before moving to Bowleys Quarters. At that property he had an above ground pool. So he should be very familiar with the procedures in having a pool installed. The pool at Bowleys Quarters could very easily be put in the back of the yard. The powerlines would not be over the pool and the roots from the tree would not be a problem, if so, cut the tree down.

The neighbors were not aware of the postponement date since another sign was not posted.

Mr. Kreiner needs to be aware of the responsibilities of being a property owner and also be aware of the concerns of the neighbors. The property owners there value the water and what it represents.

A CONCERNED PORPERTY OWNER

MICROFILMED

Thomas F. Kreiner Jr.
3946 New Section Road
Baltimore, Md. 21220
410-335-4639

Baltimore County Dept. of Permits and Development Management
111 W. Cheasapeake Avenue
Towson, Md. 21204

RE: Petition for Variance
Case no. 96-24-A
NE/S New Section Road, 1000' NE of the c/l of Seneca Road
(3946 New Section Road)
15th Election District - 5th Councilmanic District
Request for Appeal

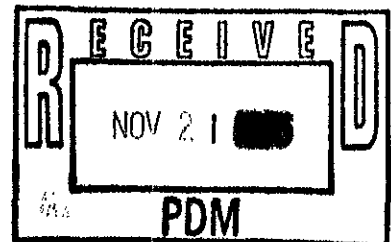
November 22, 1995

attn: Mr. Arnold Jablon,

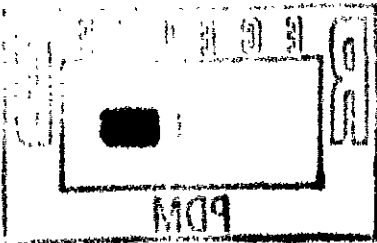
Please file a this letter as a request for case no. 96-24A to be heard and reviewed by the County Court of Appeals.

Respectfully


Thomas F. Kreiner Jr.



MICROFILMED



Thomas F. Kreiner Jr.
3946 New Section Road
Baltimore , MD. 21220
(410) 335-4639

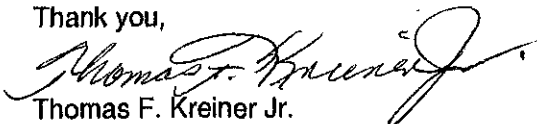
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

May 1, 1996

attn: Kathleen C. Bianco

Please ~~cancel~~ Appeals case set for May 21, 1996 at 10:00 am for case no. 96-24-A.

Thank you,


Thomas F. Kreiner Jr.

96-24-A
MAY 1 1996
CLERK OF COURT

MICROFILMED

8-14-9.

3900-95
GS

H. Ed Jablon
Director of Permits +
Development Management
Case #96-24-A

Dear Sir,

I am asking for a postponement of
Case #96-24-A, August 24, 1995 10:00AM

I will be out of town that week
due to vacation plans made several
months ago that can't be changed.
It is very important to all waterfront
owners that this variance not
be allowed and I want to be there
to fight it. Your help with my
request will greatly appreciated
by all concerned.

Thank You
Edna B. Callin

RECEIVED
AUG 17 1995

ZADM

Edna B. CALLIN
3950 New Section Rd
Baltimore Md. 21230

MICROFILMED

Answer
for file

8/23/95

AJ.
3988-95

ASE #96-24-A

Zoning Commissioner Towson, Md.

Place - Room 106, County Office Build

Time+Date - Thurs. August 24, 1995 at 10:00 AM

VARIANCE

To Permit an accessory structure (pool)
in the front yard (waterside) in lieu of the Rear
Call 887.3391 To confirm hearing

Clarification - Pool is above ground, at
least 54 inches with a need, for full
potential of a deck. Back yard is
compatible for this type of construction.
Question?

What is your view on the VARIANCE?

I request that the variance be denied.
Applicant has plenty of space in back yard
for pool plus deck of any size. The pool blocks
my view and also is unattractive. If
we allow this, what next? A pool house.

RECEIVED

AUG 22 1995

ZADM

Edna B. Callin

3950 New Section Rd

Baltimore Md. 21220

MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

Edna B. CALLIN

3950 New Section Rd. BtHo PA 21220

Case No. 96-24-A

NE/s New Section Road, 1000' NE of the c/l of
Seneca Road (3946 New Section Road)

15th Election District

Appealed: 11/21/98

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

THOMAS & HELENA KREINER

3946 W 220 SECTION 12R



MICROFILMED

Zoning Map

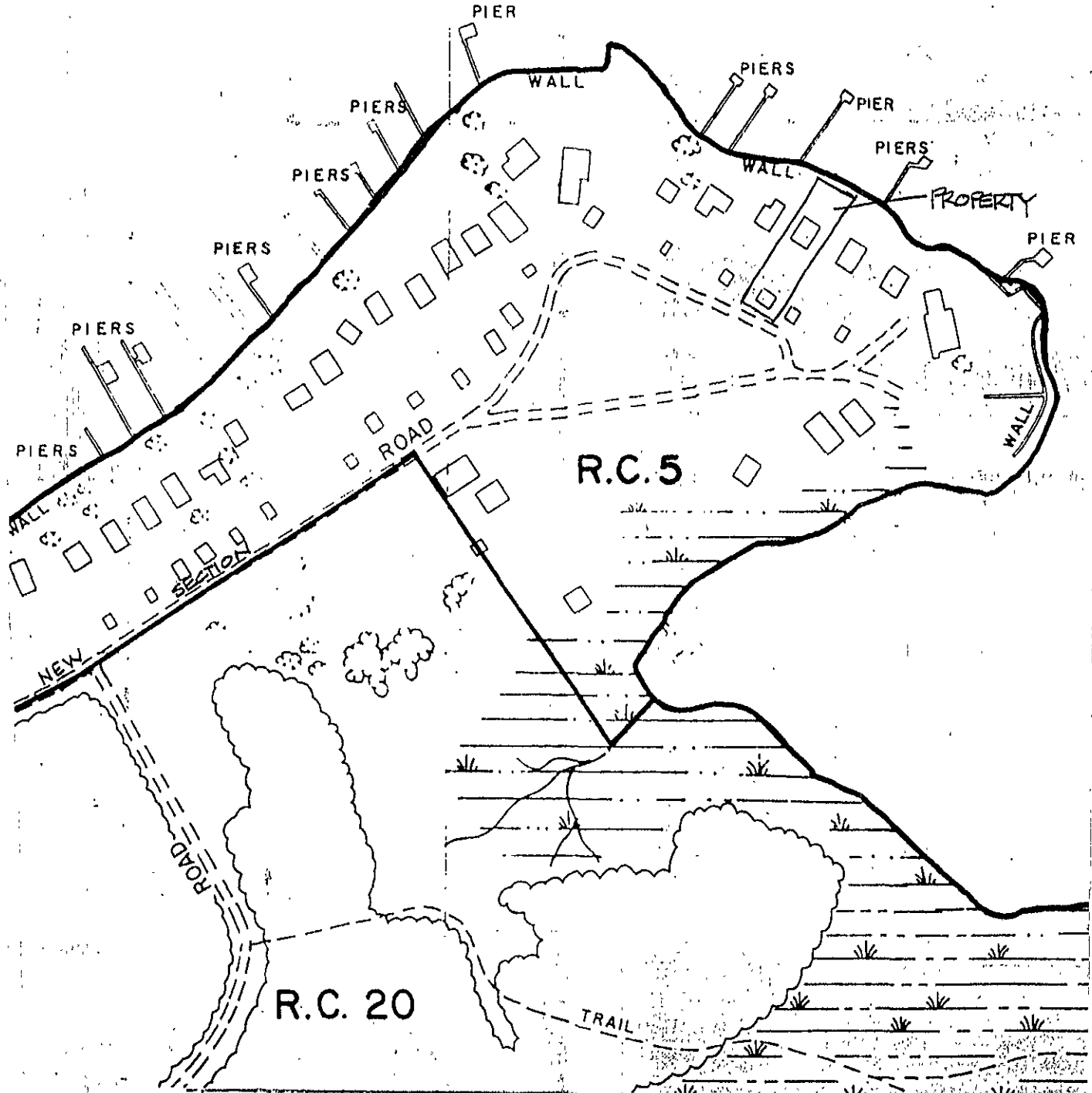
96-24-A

#22

(SHEET NE. 3-L)

E69,000

SENECA CREEK



SCALE

1" = 200' ±

LOCATION

3946 NEW SECTION RD.

SHEET

N.E.
3-L

MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

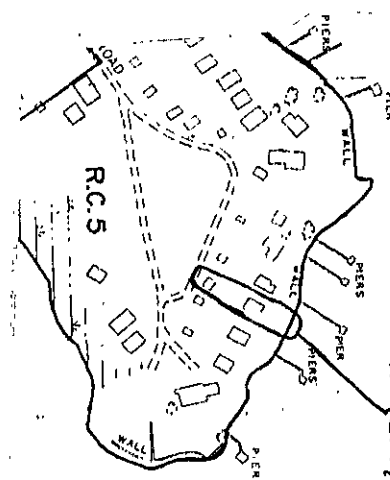
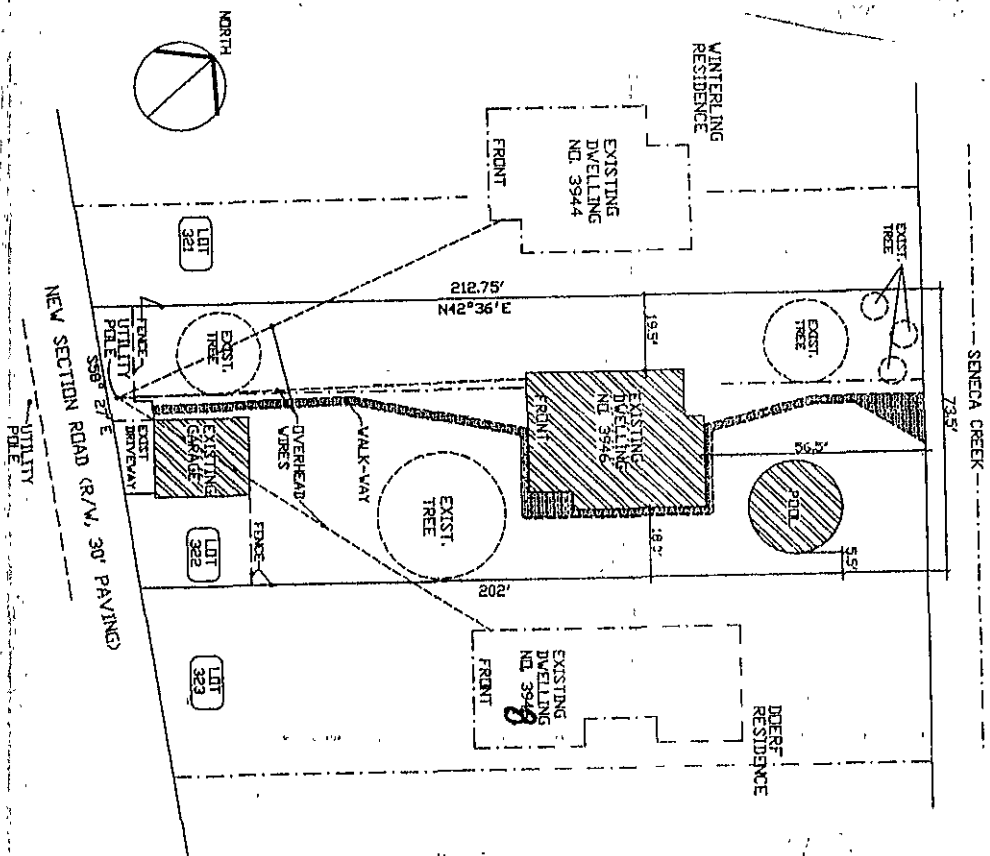
PROPERTY ADDRESS: 3446 NEW SECTION RD. 21220 see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: BOULEY'S QUARTERS

plat book # 10, folio # 64, lot # 322, section #

OWNER: THOMAS & HELENA KREINER

96-24-A



Vicinity Map

LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map#:

Zoning: 36 15834.32

Lot size: 36 15834.32 acreage square feet

- SEWER: ☐ public ☒ private
- WATER: ☒ YES ☐ NO

Chesapeake Bay Critical Area: ☒ YES ☐ NO

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM # CASE #

7777 22

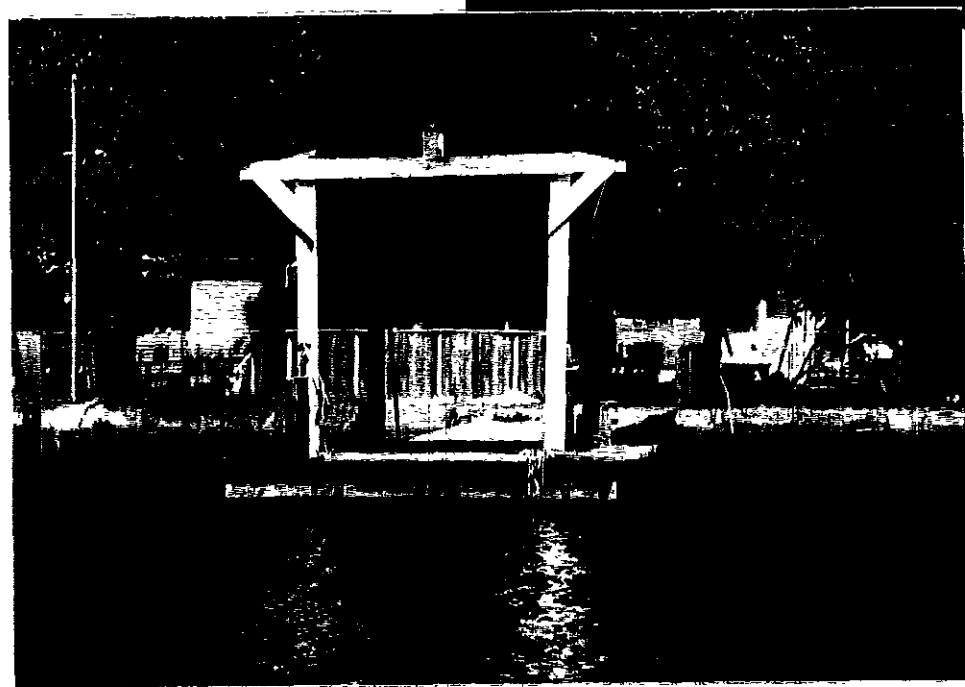
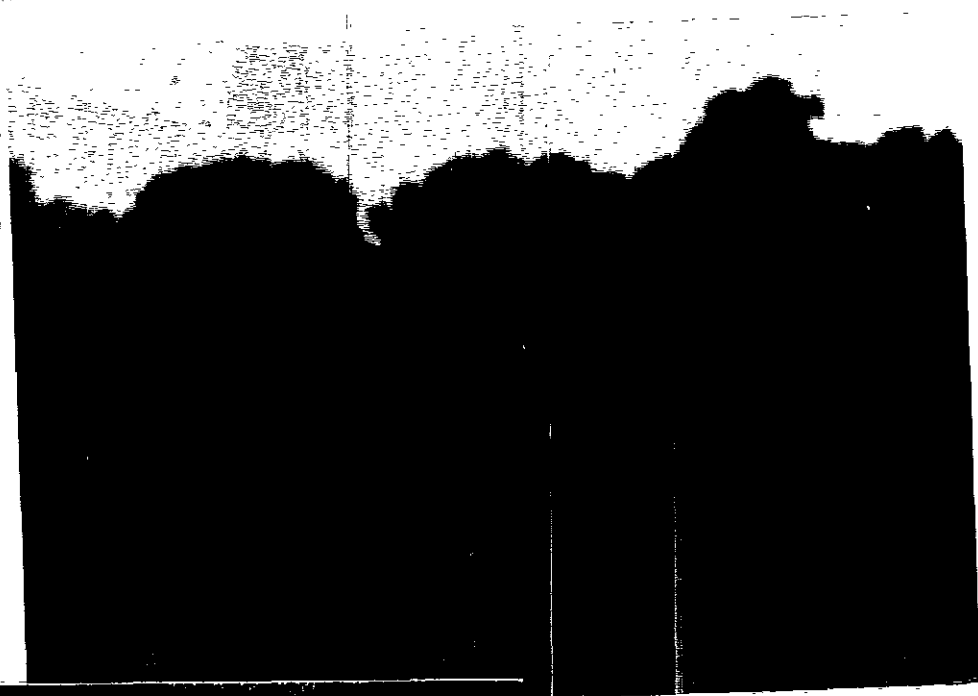
North
date: 2/11/95
prepared by: T. KREINER
Scale of Drawing: 1" = 50'

photographs

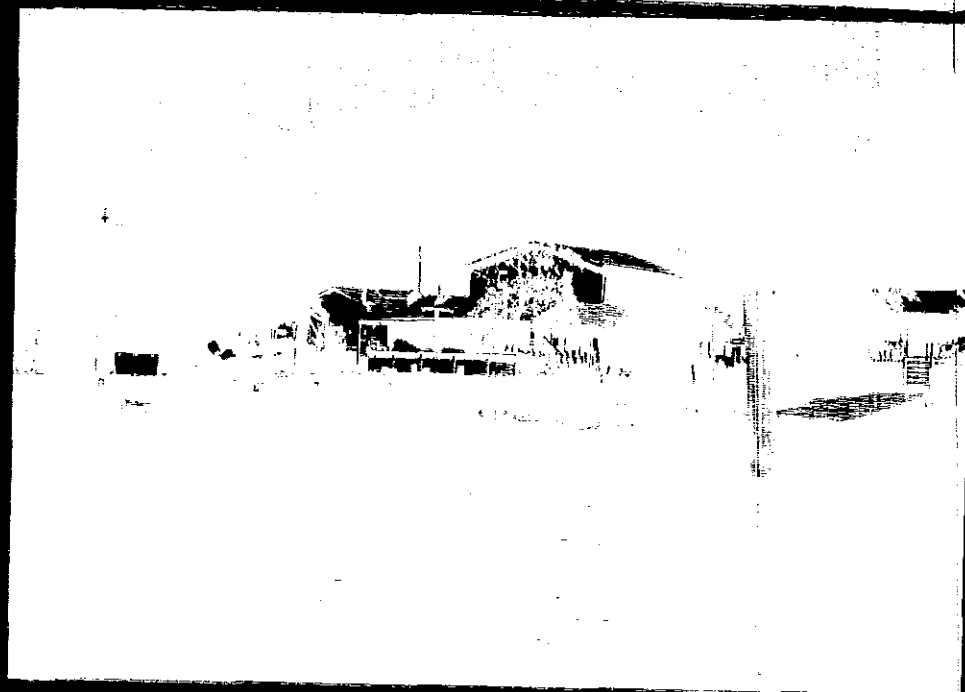
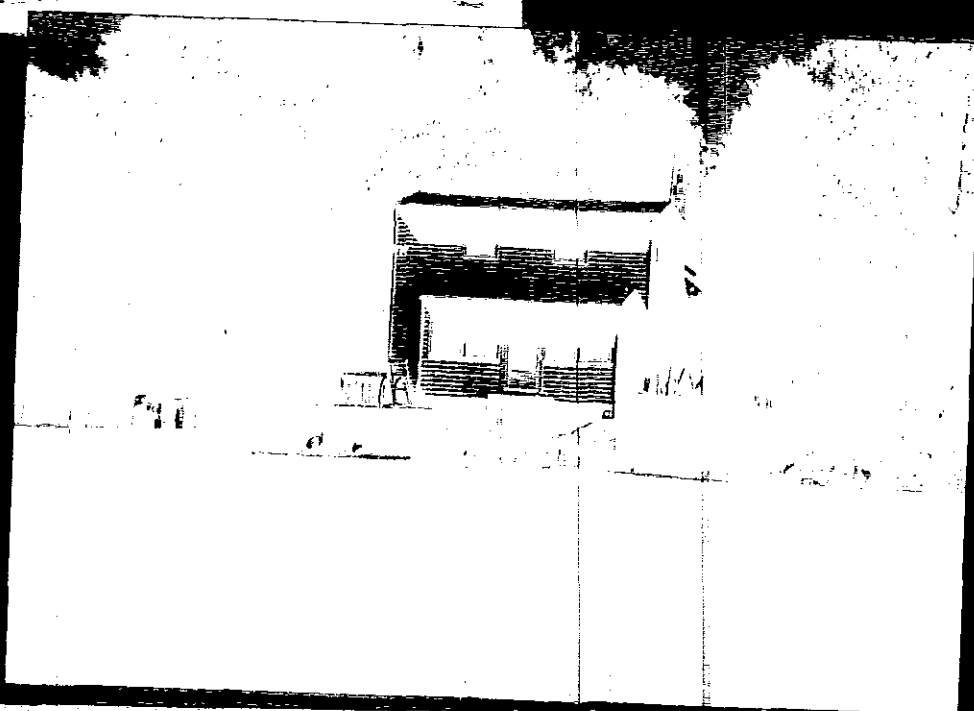
Case 96-24-A

(13)

MICROFILMED











ZONING DESCRIPTION FOR 3946 NEW SECTION ROAD

96-24-A

Beginning at a point on the northeast side of New Section Road which is 30 feet right of way width at a distance of seventy-five (75) feet beginning at the center of lot no. 321 in a south east direction. Being Lot nos. 321 and 322. As recorded in deed Liber 967 and folio 790 and include the measurements and directions (N42 degrees 08 minutes east 226.8 feet, N53 degrees 35 minutes W 25 feet, N30 degrees 59 minutes W 50 feet, S42 degrees 36 minutes W 195.7 feet, to the place of the beginning.) Also known as 3946 New Section Road and located in the 15th Election District and containing 0.36 acres.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 9/1/95
Posted for: Thomas & Helena Kreiner
Petitioner: Thomas & Helena Kreiner
Location of property: 3946 New Section Rd.
Location of Signs: Along roadway on property being zoned
Remarks:
Posted by: [Signature] Date of return: 9/1/95
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 11/23/95 ACCOUNT: 9001-7120

AMOUNT: \$ 310.00

RECEIVED FROM: Thomas & Helena Kreiner

FOR: Petition to Vary 3946 New Section Road to change lot to front yard.

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 10/1/95
Posted for: Thomas & Helena Kreiner
Petitioner: Thomas & Helena Kreiner
Location of property: 3946 New Section Rd.
Location of Signs: Along roadway on property being zoned
Remarks:
Posted by: [Signature] Date of return: 10/1/95
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 7-19-95 ACCOUNT: 96-24-A

AMOUNT: \$ 85.00

RECEIVED FROM: Kreiner, Thomas - 3946 New Section Rd.

FOR: 010- Res Var. - \$ 50.00
000-1 Sign - \$ 35.00

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 22
Petitioner: THOMAS & HELENA KREINER
Location: 3946 NEW SECTION RD. 21204
PLEASE FORWARD ADVERTISING BILL TO:
NAME: THOMAS KREINER
ADDRESS: 3946 NEW SECTION RD
BALTO. MD. 21204
PHONE NUMBER: 410-335-4639

AJ:ggg

(Revised 04/09/93)

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #96-24-A
(Item 22)
3946 New Section Road
NE/S New Section Road, 1000' NE of c/l Seneca Road
15th Election District - 5th Councilmanic
Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner
Hearing: Thursday, August 24, 1995 at 10:00 a.m. in Rm. 106, County Office Building.

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug 4, 1995
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 3, 1995

THE JEFFERSONIAN,
A. Henrichs
LEGAL AD. - TOWSON
Publisher

TO: FUTURE PUBLISHING COMPANY
August 3, 1995 Issue - Jeffersonian

Please forward billing to:

Thomas Kreiner
3946 New Section Road
Baltimore, MD 21220
335-4639

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-24-A (Item 22)
3946 New Section Road
NE/S New Section Road, 1000' NE of c/l Seneca Road
15th Election District - 5th Councilmanic
Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner
HEARING: THURSDAY, AUGUST 24, 1995 at 10:00 a.m. in Room 106, County Office Building.

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204
July 31, 1995

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-24-A (Item 22)
3946 New Section Road
NE/S New Section Road, 1000' NE of c/l Seneca Road
15th Election District - 5th Councilmanic
Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner
HEARING: THURSDAY, AUGUST 24, 1995 at 10:00 a.m. in Room 106, County Office Building.

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

[Signature]
Arnold Jablon
Director
Department of Permits and Development Management

cc: Thomas and Helena Kreiner

NOTES: (1) ZONING ACT & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 18, 1995

NOTICE OF POSTPONEMENT

CASE NUMBER: 96-24-A
PETITIONER(S): Thomas and Helena Kreiner
LOCATION: 3946 New Section Road

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO BE HEARD ON THURSDAY, AUGUST 24, 1995, HAS BEEN POSTPONED AT THE REQUEST OF EDNA B. CALLIN, PROTESTANT.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

[Signature]
Arnold Jablon
Director

cc: Thomas and Helena Kreiner
Edna B. Callin

AJ:ggg



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 21, 1995

NOTICE OF REASSIGNMENT

Rescheduled from 8/24/95
CASE NUMBER: 96-24-A (Item 22)
3946 New Section Road
NE/S New Section Road, 1000' NE of c/l Seneca Road
15th Election District - 5th Councilmanic
Legal Owner(s): Thomas F. Kreiner, Jr. and Helena Kreiner

Variance to permit an accessory structure (pool) in the front yard (water side) in lieu of the rear.

HEARING: MONDAY, SEPTEMBER 18, 1995 at 9:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, MD.

[Signature]
ARNOLD JABLON
DIRECTOR

cc: Thomas F. and Helena Kreiner
Edna B. Callin



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

February 9, 1996

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), BOARD'S RULES OF PRACTICE & PROCEDURE, APPENDIX C, BALTIMORE COUNTY CODE.

CASE NO. 96-24-A THOMAS F. KREINER, JR., ET UX -Petitioners
NE/S New Section Road, 1000' NE of c/l of Seneca Road (3946 New Section Road)
15th Election District
5th Councilmanic District

VAR -To permit accessory structure (swimming pool) to be located in front yd in lieu of req'd rear yd.

10/23/95 -Z.C.'s Order in which Petition for Variance is DENIED.

ASSIGNED FOR: TUESDAY, MAY 21, 1996 at 10:00 a.m.

cc: Mr. Thomas F. Kreiner, Jr. Appellant /Petitioner

Ms. Edna B. Callin

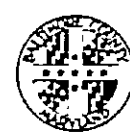
Protestant

Mr. and Mrs. William D. Wagner

People's Counsel for Baltimore County
Pat Keller /Planning Director
Lawrence E. Schmidt
W. Carl Richards, Jr. /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Kathleen C. Bianco
Administrative Assistant

Baltimore County Government
Department of Permits and Licenses



111 West Chesapeake Avenue
Towson, MD 21204

887-3610

August 9, 1995

Mr. and Mrs. Thomas Kreiner
3946 New Section Road
Baltimore, Maryland 21220

RE: Item No.: 22
Case No.: 96-24-A
Petitioner: T. Kreiner, et ux

Dear Mr. and Mrs. Kreiner:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 19, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

August 7, 1995

FROM: J. Lawrence Pilsbury
Development Coordinator, DEPRM

SUBJECT: Zoning Item #22 - Kreiner Property
3946 New Section Road
Zoning Advisory Committee Meeting of July 31, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Pools and other accessory structures are not permitted within 100 feet of tidal water per Chesapeake Bay Critical Area regulations. Denial of this zoning variance is recommended.

JLP:PF:sp
KREINER/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: August 3, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 3946 New Section Rd.

INFORMATION:

Item Number: 22

Petitioner: Kreiner Property

Property Size:

Zoning: RC-5

Requested Action: Variance

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

The applicant requests a variance to permit an accessory structure in the front yard in lieu of the rear yard.

Based upon the information provided, staff finds it refreshing to review a residential variance request in which a legitimate practical difficulty/hardship is actually indicated.

Prepared by: Jeffrey M. Long

Division Chief: Caryl Lerma

PK/JL

ITEM22/PZONE/TXTJWL

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 7, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for August 7, 1995
Items 020, 021, 022, 024, 025, 026 and 027

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/31/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JULY 31, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 17, 18, 19, 20, 21, 22, 23, 24, 25 AND 27.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

RECEIVED
AUG 1 1995
ZADM



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 022 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE * BEFORE THE
3946 New Section Road, NE/S New Section * ZONING COMMISSIONER
Road, 1000' NE of c/l Seneca Road *
15th Election District - 5th Councilmanic * OF BALTIMORE COUNTY
Thomas F. and Helena Kreiner, Jr. * CASE NO. 96-24-A
Petitioner *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

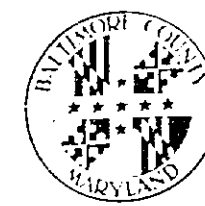
Charles S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of August, 1995, a copy of the foregoing Entry of Appearance was mailed to Thomas F. and Helena Kreiner, Jr., 3946 New Section Road, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

RECEIVED
AUG 14 1995
DEPT. OF PERMITS & LICENSES
OF BALTIMORE COUNTY



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3960
Fax (410) 887-2824

November 22, 1995

Ms. Edna B. Collin
3950 New Section Road
Baltimore, MD 21220
Mr. and Mrs. William D. Wagner
3942 New Section Road
Baltimore, MD 21220

Re: Petition for Variance
NE/S New Section Road
1000' NE of the c/l
of Seneca Road
3946 New Section Road
15th Election District
5th Councilmanic District
Thomas F. Kreiner, Jr. -
Petitioners
Case No. 96-24-A

Dear Ms. Collin and Mr. and Mrs. Wagner:

Please be advised that an appeal of the above-referenced case was filed in this office on November 21, 1995 by Mr. Thomas F. Kreiner, Jr. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals, "Board".

If you have any questions concerning this matter, please do not hesitate to contact the Board at 887-3180.

Sincerely,

(Copy)

ARNOLD JABLON
Director
Department of Permits and
Development Management

AJ:nmn

cc: People's Counsel

APPEAL

Petition for Variance
NE/S New Section Road
1000' NE of the c/l of Seneca Road
3946 New Section Road
15th Election District - 5th Councilmanic District
Thomas F. Kreiner, Jr. et ux - Petitioners
Case No. 96-24-A

Petition for Variance
Description of Property
Certificate of Posting
Certificate of Publication
Entry of Appearance of People's Counsel
Zoning Plans Advisory Committee Comments
Petitioner(s) and Protest(s) Sign-In Sheets
Plat to Accompany Petition for Zoning Variance (Not Marked as Exhibit)
Zoning Map to Accompany Petition for Zoning Variance (Not Marked as Exhibit)
13 Photographs to Accompany Petition for Zoning Variance (Not Marked as Exhibits)
Letter to File from Edna B. Collin received August 22, 1995
Letter to File from William and Maxine Wagner received August 23, 1995
Anonymous Letter to Lawrence Schmidt, Zoning Commissioner dated September 19, 1995
Zoning Commissioner's Order dated October 23, 1995 (Denied)
Notice of Appeal received on November 21, 1995 from Thomas F. Kreiner, Jr., Petitioners
cc: Mr. Thomas F. Kreiner, Jr., 3946 New Section Road, Baltimore, MD, 21220
Ms. Edna B. Collin, 3950 New Section Road, Baltimore, MD 21220
Mr. and Mrs. William D. Wagner, 3942 New Section Road, Baltimore, MD 21220
People's Counsel of Baltimore County, M.S. 2010
Request Notification: Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

2/09/96 -Notice of Assignment for hearing scheduled for Tuesday,
May 21, 1996 at 10:00 a.m. sent to following:

Mr. Thomas F. Kreiner, Jr.
Ms. Edna B. Collin
Mr. and Mrs. William D. Wagner
People's Counsel for Baltimore County
Pat Keller /Planning Director
Lawrence E. Schmidt
W. Carl Richards, Jr. /PDM
Docket Clerk /PDM
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

5/03/96 -Letter from Appellant /Petitioner - withdrawing appeal and requesting cancellation of hearing scheduled for 5/21/96. Order of Dismissal to be issued.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 10, 1997
Permits & Development Management
FROM: Charlotte E. Radcliffe
County Board of Appeals

SUBJECT: Closed Files: Case Nos.
95-366-A /Carroll Coleman, et ux (12th; 7th)
96-24-A /Thomas Kreiner, Jr., et ux (15th; 5th)
96-31-SPH /Stephen Seymour (3rd; 2nd)
96-40-A /Joseph C. Nowakowski (15th; 7th)
96-63-A /Joseph E. Neet, et ux (13th; 1st)
96-118-SPHXA /Rocky Gorge at Grey Rock, L.P. and
Rocky Gorge Communities, Inc., G.P. (3rd; 2nd)
96-120-SPHA /Richmond American Homes and
Ruby Holzapfel, et al (2nd; 2nd)
CBA-95-178 /Steinberg Property (BPC #07315M)
CBA-96-113 /Samuel Owings House (Permit #B240689)

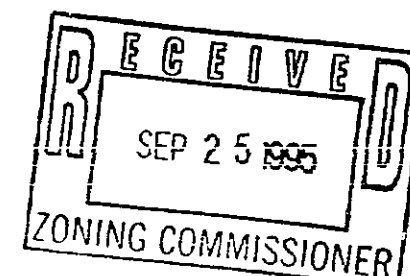
As no further appeals have been taken regarding the subject cases, we are hereby closing the files and returning same to you herewith.

Attachments (Case File Nos. 95-366-A; 96-24-A; 96-31-SPH; 96-40-A; 96-63-A; 96-118-SPHXA; 96-120-SPHA; CBA-95-178; CBA-96-113)

September 19, 1995

Mr. Lawrence E. Schmidt
112 Court House
400 Washington Ave
Towson, Md 21204

Ref: 96-24-A
Mr. Thomas Kreiner



Dear Mr. Schmidt,

First, I am a concerned neighbor that doesn't want to see the neighborhood change. Since the Kreiners have moved in summer of 1993, there has been numerous problems. He has made many complaints on the long-time residents, which none of them were valid. This is why many of us want to be anonymous at this time.

Second, he was raised at that property since 1949 and since his mother illness of summer 1993 he has occupied the property. Since he helped her maintain the property, he was well aware that the waterfront was the front of the property. It is a well know fact of waterfront property owners.

A neighbor three doors down the road had applied to zoning to put a pool on waterfront side of his property. The motion was denied causing the property owner to put the pool beside his house.

Concerning the pool, Mr. Kreiner was a previous Baltimore County resident before moving to Bowleys Quarters. At that property he had an above ground pool. So he should be very familiar with the procedures in having a pool installed. The pool at Bowleys Quarters could very easily be put in the back of the yard. The powerlines would not be over the pool and the roots from the tree would not be a problem, if so, cut the tree down.

The neighbors were not aware of the postponement date since another sign was not posted.

Mr. Kreiner needs to be aware of the responsibilities of being a property owner and also be aware of the concerns of the neighbors. The property owners there value the water and what it represents.

A CONCERNED PORPERTY OWNER

Thomas F. Kreiner Jr.
3946 New Section Road
Baltimore, Md 21220
410-335-4639

Baltimore County Dept. of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Md. 21204

RE: Petition for Variance
Case no. 96-24-A
NE/S New Section Road, 1000' NE of the c/l of Seneca Road
(3946 New Section Road)
15th Election District - 5th Councilmanic District
Request for Appeal

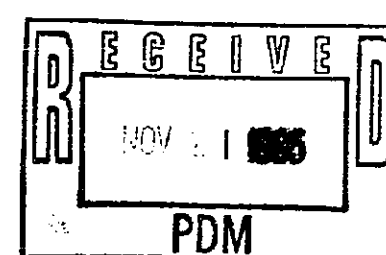
November 22, 1995

attn: Mr. Arnold Jablon,

Please file a this letter as a request for case no. 96-24A to be heard and reviewed by the County Court of Appeals.

Respectfully,

Thomas F. Kreiner Jr.
Thomas F. Kreiner Jr.



Thomas F. Kreiner Jr.
3946 New Section Road
Baltimore, MD. 21220
(410) 335-4639

County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

May 1, 1996

attn: Kathleen C. Bianco

Please cancel Appeals case set for May 21, 1996 at 10:00 am for case no. 96-24-A.

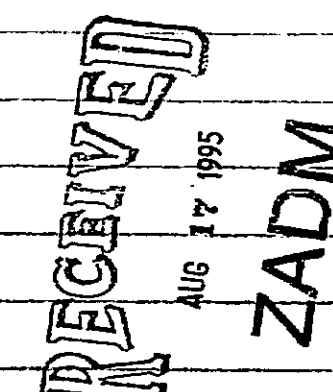
Thank you,

Thomas F. Kreiner Jr.
Thomas F. Kreiner Jr.

8-14-96 3900-95
GS *Arnold Jablon*
Director of Permits +
Development Management
Case #96-24-A

Dear Sir,
I am asking for a postponement of
Case # 96-24-A, August 24, 1995 10:00AM
I will be out of town that week
due to vacation plans made several
months ago that can't be changed.
It is very important to all waterfront
owners that this variance not
be allowed and I want to be there
to fight it. Your help with my
request will greatly appreciate!
by all concerned.

Thank You
Edna B. Collin



Edna B. COLLIN
3950 New Section Rd
Baltimore Md. 21220

